

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL ACTION NO. 16-10089-RGS

UNITED STATES OF AMERICA

v.

NATHAN PINHO

ORDER ON DEFENDANT'S
MOTION FOR RESENTENCING

November 18, 2018

STEARNS, D.J.

The government is correct in pointing out that the vacated 2010 state court conviction would have no impact on a recalculation of defendant's Criminal History Category and consequently the Guideline Sentencing Range would remain the same. Moreover, as the court's remarks at the sentencing hearing make clear, *see* Gov't Mem. at 5 (Dkt # 150), a subtraction of two criminal history points would not have inclined the court to impose a lesser sentence than it did. The motion for resentencing is therefore DENIED.

SO ORDERED.

/s/ Richard G. Stearns
UNITED STATES DISTRICT JUDGE